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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/779,753

02/17/2004

Thomas G. Krajewski

D-2778Div2/WOD

9780

7590

12/14/2005

William O'Driscoll - 12-1

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EXAMINER

KOVALICK, VINCENT E

ART UNIT

PAPER NUMBER

2677

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/779,753

Applicant(s)

KRAJEWSKI ET AL.

Examiner

Vincent E. Kovalick

Art Unit

2677

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 40-54,91-101,122,125,132 and 133 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 40-54,91-101,132 and 133 is/are allowed.
- 6) ☒ Claim(s) 122 and 125 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/17/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This Office Action is in response to Applicant's Amendment dated September 9, 2005 in response to USPTO Office Action dated April 14, 2005.

The cancellation of claims 1-39, 55-90, 102-121, 123-124, 126-131 and 134-137, and Applicant's remarks relative to claims 122 and 125 have been noted and entered in the record.

Examiner's Note

2. For processing purposes, the Applicant's Attorney was notified that claim 126 was dependent on cancelled claim 120, and this Action would consider claim 126 cancelled. Claim 126 must be formally cancelled in Applicant's response to this Action.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 122 and 125 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bang et al. (USP 5,956,019).

Relative to claims 122 and 125, Bang et al. **teaches** a touch-pad cursor control device (col. 2, lines 17-67 and col. 3, lines 1-38); Bang et al. further **teaches** determining whether a touch

Art Unit: 2673

screen has been touched comprising: means for reading a first coordinate of a coordinate pair at a first time; means for consecutively reading the same coordinate at a second time; means for determining if the absolute value of the difference between the first coordinate and the consecutive coordinate is less than a predetermined value; and means, responsive to the determining means, for quantifying the coordinate position as a function of the first or the consecutive coordinate (col. 9, lines 43-45 and 66-67; col.10, lines 1 and 22-34; and Fig. 8).

It would have been obvious to a person of ordinary skill in the art at the time of the invention that the limitations as taught by Bang et al. address the limitations as taught by claims 122 and 125 of the instant invention.

Allowable Subject Matter

5. Claims 40-54, 91-101 and 132-133 are allowed.

6. The following is an examiner's statement of reasons for allowance:

Relative to claim 40, the major difference between the teachings of the prior art of record (USP 4,145,748, Eichelberger et al. ; USP 4,853,498, Meadows et al. and USP 5,977,955, Jaeger) and that of the instant invention is that said prior art of record **does not teach** in a touch-screen display system for generating pixel coordinate estimates responsive to a user touching a display screen, an apparatus for enabling detection of a "no touch" state of said touch-screen display system comprising: at least one driver electrically connected to said at least one bus bar to selectively switch said at least one bus bar between at least two of a plurality of electrical potentials; and at least one shunt electrically connected across said at least one driver.

Relative to claim 91, the major difference between the teachings of the said prior art of record

Art Unit: 2673

and that of the instant invention is that said prior art of record **does not teach** in a touch-screen display system for generating pixel coordinate estimates responsive to a user touching a display screen, an apparatus for enabling detection of a “no touch” state of said touch-screen display system comprising: selectively switching at least one reference point of at least one axis of said touch-screen display system between at least two of a plurality of electrical potentials by employing electrical driving techniques and electrical shunting techniques.

Relative to claims 132 and 133, the major difference between the teachings of the said prior art of record and that of the instant invention is that said prior art of record **does not teach** in a touch-screen display system for generating pixel coordinate estimates responsive to a user touching a display screen, an apparatus for enabling detection of a “no touch” state of said touch-screen display system comprising: at least one bus bar; at least one driver electrically connected to said at least one bus bar to selectively switch said at least one bus bar between at least two of a plurality of electrical potentials wherein the at least one driver is either selected to have an off state impedance establishing a pre-determined discharge rate or is controlled to establish pre-determined discharge rates.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U. S. Patent No.	5,940,065	Babb et al.
U. S. Patent No.	4,914,624	Dunthorn
U. S. Patent No.	4,853,498	Meadows et al.


Art Unit: 2673

To Respond

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent E. Kovalick whose telephone number is 571-2-272-7669. The examiner can normally be reached on Monday-Thursday 7:30- 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amr Awad can be reached on 571-272-7764. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Vincent E. Kovalick
November 23, 2005

AMR A. AWAD
PRIMARY EXAMINER
